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G

GRANT & BARROW

MICHAEL G. FANNING
OLDEN C. TOUPS, JR.

ROBERT W. GRANT
BRAD J. GEGENHEIMER
GLENN D. PRICE, JR.

A PROFESSIONAL LAW CORPORATION

238 HUEY P. LONG AVENUE

P.O. BOX 484

GRETN, LOUISIANA 70054

TELEPHONE: (504) 368-7888

FACSIMILE: (504) 368-7263

OF COUNSEL:
JACK A. GRANT

ERNEST E. BARROW, II
(1939-2002)

SENDER'S E-MAIL ADDRESS
mfanning@grantbarrow.com

TELECOPY COVER LETTER

To: Louisiana Board of Ethics
Attention: Ms. Kathleen Allen

Fax No.: 225-381-7271

From: Michael G. Fanning

Date: June 24, 2016

Re: Request for expedited consideration for ethics board opinion

2016 JUN 24 PM 3:03

GENERAL INFORMATION

1. Length of telecopy is 4 pages (including cover letter).
2. Telecopy machine number is at (504) 368-7263.
3. If you do not receive all pages, please call Jeanne at (504) 368-7888.
4. Comments:

Ms. Allen: One of your staff suggested that I ask for an opinion for the reasons stated in the attached letter. I would deeply appreciate it if you could place it on the Board's July meeting agenda. The reasons are in the letter attached. Thank you for your consideration.

Michael G. Fanning

CONFIDENTIALITY NOTICE

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(1939-2002)SENDER'S E-MAIL ADDRESS
mfanning@grantbarrow.comMICHAEL G. FANNING
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June 24, 2016

Board of Ethics
State of Louisiana
P.O. Box 4368
Baton Rouge, Louisiana 70821

Re: Request for Ethics Board Opinion
by the Jefferson Parish School Board
My File No.: 1200.023

Dear Ladies and Gentlemen:

Our firm represents the Jefferson Parish School Board. The Jefferson Parish Public School System is composed of approximately 49,000 students attending 86 schools. The current Superintendent is Mr. Isaac Joseph, who took office on May 1, 2015.

Mr. Joseph has three (3) relatives working for the system that are his immediate family as defined in *La. R.S. 42:1102(13)*: a daughter, Tiffany Joseph, his wife, Faith Joseph, and his brother's wife, Donna Joseph. All three (3) had been employed for over a year in the school system at the time that Mr. Joseph began working as Superintendent.

Mr. Joseph's wife is currently the principal at Henry Ford Middle School in the system. A position has been advertised for a principal at L.W. Higgins High School. Mrs. Joseph has applied for the position. The principalship of the high school pays more than the principalship of the middle school where Mrs. Joseph currently is assigned. While the system would treat the transfer from principal of one school to another as a lateral move, school law would consider it a promotion, since the high school position pays more, *see La. R.S. 17:444*.

Mr. Joseph has had a disqualification plan approved by your office, as per the attached letter doing so. Under *La. R.S. 42:1119(C)*, we understand that Mrs. Joseph can be promoted. I have been informed by one of your staff that I had telephoned regarding some issues concerning Mrs. Joseph's application for the high school principal position, that a problem could exist with her application because your agency treats the school, rather than the school system or school board, as the agency as defined in *La. R.S. 1102(2)*. I believe that the problem is that, if the school is the "agency" as defined, Mrs. Joseph could be limited to her position at the school where she was working when Mr. Joseph took office. She is already at the top level position at the school, so she could not be promoted at the school.

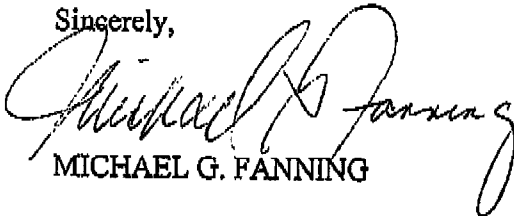
Board of Ethics
June 24, 2016
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Please advise if Mrs. Joseph is eligible to be promoted within the Jefferson Parish Public School System, provided the disqualification plan approved by your board is followed.

I understand that we have missed the date for being placed on your July docket by about three (3) weeks. I sincerely apologize for that; however, the position that is at issue was just advertised to be filled which I was unaware of. As you can imagine, it is very important that the school receive a permanent principal as soon as possible (it is currently being overseen by an Acting Principal) because it is a struggling school, graded a "D" by the state Department of Education. I ask that you please place this issue on your July docket so that the school can get a permanent principal for its students.

With kindest personal regards, I remain,

Sincerely,



MICHAEL G. FANNING

MGF/mf
Enclosure



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4388
BATON ROUGE, LA 70821
(225) 219-5500
FAX: (225) 381-7271
1-800-842-6630
www.ethics.state.la.us

January 15, 2016

Cedric Floyd
School Board President
Jefferson Parish Public School System
501 Manhattan Boulevard
Harvey, LA 70058-4495

Re: Ethics Board Docket No. 2015-1007

Dear Mr. Floyd:

The Louisiana Board of Ethics, at its January 15, 2016 meeting, considered your request for approval of a disqualification plan regarding the employment of immediate family members of Isaac Joseph, Superintendent of the Jefferson Parish Public School System, within the Jefferson Parish Public School System. You provided information that Mr. Joseph's daughter, Tiffany Rene Joseph, is employed as a teacher; Mr. Joseph's wife, Faith Morris Joseph, is employed as a principal; and Mr. Joseph's sister-in-law, Donna Joseph, is employed as the acting Chief of Human Resources. You stated that the Jefferson Parish School Board adopted a disqualification plan at its September 2, 2015 meeting indicating that the Jefferson Parish School Board will contract with three retired educators who have the experience and qualifications to interview and make recommendations to the Jefferson Parish School Board regarding all personnel matters of currently employed immediate family members of Superintendent Isaac Joseph and immediate family members who apply for any position within the Jefferson Parish Public School System.

In connection with the employment of immediate family members of Isaac Joseph, Superintendent of the Jefferson Parish Public School System, you have submitted a disqualification plan on behalf of the Jefferson Parish Public School System and Isaac Joseph. Under the proposed plan, any potential violations of La. R.S. 42:1112 will be eliminated if immediate family members of Superintendent Isaac Joseph have a personnel matter pending before the school board. Violations of La. R.S. 42:1119 may still occur if the Jefferson Parish School Board hires immediate family members of the superintendent who do not meet an exception found within La. R.S. 42:1119 allowing their employment. An advisory opinion should be sought if immediate family members of Isaac Joseph seek employment within the Jefferson Parish Public School System.

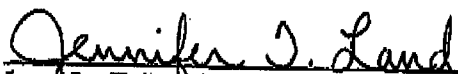
AN EQUAL OPPORTUNITY EMPLOYER

The Board concluded, and instructed me to inform you, that the Board approves the disqualification plan submitted on behalf of the Jefferson Parish Public School System and Isaac Joseph, by virtue of which the Jefferson Parish School Board will contract with three retired educators who have the experience and qualifications to interview and make a recommendation to the Jefferson Parish School Board regarding personnel matters of currently employed immediate family members of Superintendent Isaac Joseph and immediate family members who have applied for any position within the Jefferson Parish Public School System. La. R.S. 42:1112B(1) provides that no public servant shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any member of his immediate family has a substantial economic interest. La. R.S. 42:1112(C) allows a disqualification plan to be developed in accordance with rules adopted by the Board to remove a public servant from participating in transactions that would otherwise present violations of Section 1112 of the Code.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS


Jennifer T. Land
For the Board